

FILED BY *JE* D.C.

05 MAY -2 PM 2: 08

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

ROBERT A. DI TROLIO
CLERK, U.S. DIST. CT.
WESTERN DISTRICT OF TENNESSEE, MEMPHIS

UNITED STATES OF AMERICA,

*

Plaintiff,

*

Crim. No. 02-20448-D/P

v.

*

JOHN E. MADISON, SR., and
WILLIEANN D. MADISON,

*

*

Defendants.

*

**ORDER VACATING FORECLOSURE SALE
OF 2771 COLONY PARK, MEMPHIS, TENNESSEE
AND ENJOINING FUTURE FORECLOSURE PROCEEDINGS**

Upon motion of the United States, it is hereby ORDERED, ADJUDGED, and DECREED, pursuant to 21 U.S.C. § 853(e)(1)(A), incorporated by 18 U.S.C. § 982(b)(1), that:

1. The March 29, 2005 foreclosure sale of One Parcel of Real Property Located at 2771 Colony Park, Memphis, Tennessee ("the Real Property"), referenced in the Substitute Trustee's Deed recorded by the Shelby County Register of Deeds as Instrument #05050934 and attached as Exhibit A hereto, is VACATED.


2. Until completion of the ancillary forfeiture proceedings in this case by entry of a Final Order of Forfeiture with respect to the Real Property, Memphis First Community Bank is hereby enjoined from proceeding with any foreclosure sale or auction of the Real Property, and from taking any other action to hinder, obstruct, or delay the ancillary forfeiture process.

3. This Order shall not prevent Memphis First Community Bank from taking any lawful steps under 21 U.S.C. § 853(n) to assert its mortgage claim against the Real Property at the proper time and in the proper forum, which is this Court.

This document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCP on 5/3/05

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IT IS SO ORDERED, this 2nd day of May, 2005.


BERNICE B. DONALD
United States District Judge

APPROVED:

TERRELL L. HARRIS
United States Attorney

By:


CHRISTOPHER E. COTTEN
Assistant United States Attorney



Notice of Distribution

This notice confirms a copy of the document docketed as number 382 in case 2:02-CR-20448 was distributed by fax, mail, or direct printing on May 5, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT